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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LIN, KELVIN Y

ART UNIT PAPER NUMBER

2142

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/848,711

Applicant(s)

ROBB ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 14-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-17, and 19-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **Detailed Action**

### ***Response to Arguments***

1. Applicant's arguments, see Remarks from page 7 to 9, filed on May 8, 2006, with respect to the rejection(s) of claim(s) 1-12, 14-17, and 19-24 under 35 USC 102(e) as being anticipated by Koseki have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Shealy (USPN No. 5950211).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-12, 14-17, and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koseki et al., (USPN 6732124) in view of Shealy (USPN No. 5950211).
2. Regarding claim 1, Koseki teaches a method for logging events independently and separately from other processes in a computer system,

comprising: (Koseki, col. 12, l.25, col. 49, l. 14, in which logging system corresponding to the method for logging event)

- i. Initiating an event by a consumer, wherein the event is processed by a computer system (Koseki, col.10, l.48-58, in which the transaction, a consumer consumes the memory, activates the logging system, and the transaction for metadata allocation is processed by a computer system)
- ii. Creating a log entry, wherein creation of the log entry is requested by the consumer and the log entry comprises information that describe the event (Koseki, col. 9, l.16-20, in which the log record represents the updated metadata object)
- iii. Requesting that the log entry information be written to a log file, wherein the consumer surrenders control of the log entry, pausing execution of the event (Koseki, col. 6, l.19-20,col. 10, l. 47-57); and
- iv. Cloning the log entry, wherein the log entry clone is a copy of an entire log entry that comprises the log entry information (Koseki, col. 28, l. 15-18, col.35, l.17-18, col.36, l.36-51); and  
But, Koseki does not specifically teaches the consumer to resume the paused event.  
However, Shealy teaches that
- v. Allowing the consumer to resume executing the paused event so

that execution of the paused event resumes prior to writing the log entry information to the log file (Shealy, col.7, l.40-60, col. 8, l.13-24,l.58-64, in which the function call prob that access the device driver resuming the even monitor, is triggered (resume the probing) whenever the ownership of a message block is transferred between modules. Moreover, the function prob call is preferably embedded in the putnext routine to catch such ownership transfer before executes the logging system).

Because knowing that the Shealy's message block leakages system is dealt with a message leaking system in the result of the large source (Shealy, col. 1, l.49-57). Furthermore, Koseki discloses there is a issue when the system crashed during such a big transaction, it would have been obvious to incorporate Shealy's message block leakage system with Koseki's feature for the big transaction. Therefore, the claimed claim invention would have been obvious to one of ordinary skill in the art at the time of the invention.

3. Regarding claim 2, Koseki further discloses the method of claim 1, wherein he cloning step is performed by a multiple-thread log manager. (Koseki, col 15, l. 40-45).
4. Regarding claim 3, Koseki further discloses the method of claim 1, further

comprising:

- Queuing the log entry clone in a queue that determines when the log entry information is written to the log file (Koseki, col. 44, l. 39)

5. Regarding claim 4, Koseki further discloses the method of claim 3, wherein the queue is a first in, first out queue – as described in Microsoft computer dictionary 5<sup>th</sup> edition “ queue follows a first in, first out constraint” - (Koseki, col. 44, l.39).
6. Regarding claim 5, Koseki further discloses the method of claim 3, wherein at some time the log entry clone has a turn, the method further comprising:
  - Determining if the log entry clone is next in the queue; (Koseki, col.10, l. 40-43) and
  - If the log entry clone is next in the queue, writing the log entry information to log file (Koseki, col. 10, l.43-46).
7. Regarding claim 6, Koseki further discloses the method of claim 1, wherein the log entry is an object comprising attributes populated with the log entry information (Koseki, col 30, l.9-11).
8. Regarding claim 7, Koseki further discloses the method of claim 1, wherein the event is a configuration event (Koseki, col. 22, l. 24-26).
9. Regarding claim 8, Koseki further discloses the method of claim 1, wherein the consumer is a client (Koseki, col.50, l.32-34).

10. Regarding claim 9, Koseki further discloses the method of claim 1, wherein the event is a task event, the method further comprising:
  - Starting a log transaction, wherein starting a log transaction comprises a consumer sending a message that a sequence of related task log entries are to be sent. (Koseki, col. 11, l.26-28)
11. Regarding claim 10, Koseki further discloses the method of claim 9, further comprising:
  - Determining if the task event has ended, wherein the end of the task event comprises the completion of the task event or a failure to complete the task event (Koseki, col. 14, l.28-33); and
  - If the task event has ended, terminating the log transaction, wherein terminating the log transaction indicates that a sequence of log entries associated with the task event has ended and that the log file may be rolled-over without interrupting logging of the task event.(Koseki, col. 18, l.65-67)
12. Regarding claim 11, Koseki further discloses the method of claim 9, wherein the consumer is a task manager (Koseki, col. 39, l.46-49)
13. Regarding computer readable medium claims 12-16 have limitations corresponding to claims 1, 3, 5, 6. Therefore, claims 12-16 are rejected for the same reason set forth in the rejection of claims 1, 3, 5, 6.

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14. Regarding claim 17, Koseki further discloses a computer system that supports logging events independently and separately from other processes in a computer system, comprising:

- A memory, that stores an application (Koseki, col. 50, l.36-37).
- A secondary storage device comprising a log file (Koseki, col. 51, l.64).
- A processor that runs the application, wherein the application comprises:
  - A consumer, wherein the consumer initiates an event that is processed by the processor, requests creation of a log entry comprising information be written to the log file (Koseki, col.10, l.48-58)
  - A multiple-threaded log manager, wherein the log manager, independently and separately from other processes, logs events, (Koseki, col.29, l.25-67) by:
    - Receiving the log entry from the consumer, thereby obtaining control of the log entry and pausing execution of the event (Koseki, col. 10, l. 36-58);
    - cloning the log entry, wherein the log entry clone is a copy of the log entry that comprises the log entry



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information; and (Koseki, col. 28, l. 15-18, col.35, l.17-18, col.36, l.36-51);

- allowing the consumer to resume executing the initiated event (Shealy, col.7, l.40-60, col. 8, l.13-24,l.58-64) .

15. Regarding claim 19, Koseki further discloses the computer system of Claim 17, wherein the consumer is a task manager (Koseki, col. 39, l.46-49)
16. Regarding claim 20, Koseki further discloses the computer system of claim 17, wherein the log entry is an object that comprises attributes which are populated with the log entry information (Koseki, col. 30, l. 9-11).
17. Regarding claim 21, Koseki further discloses a method for logging events independently and separately from other processes in a computer system, comprising:
  - Initiating an event by a consumer, wherein the event is a process executed on a computer system (Koseki, col. 9, l.13-15, l. 36-38);
  - Creating a log entry, wherein creation of the log entry is requested by the consumer and the log entry comprises information that describes the event (Koseki, col.9, l. 16-17, col. 30, l.9-11);
  - Requesting that the log entry information be written to a log file, whereby a consumer surrenders control of the log entry, pausing execution of the event (Koseki, col.6, l.19-20, col.10, l.47-57) ;

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- Cloning the log entry, wherein the log entry clone is a copy of the an entire entry that comprises the log entry information (Koseki, col.10, l.35-37, col. 28, l.15-18); and allowing the consumer to resume executing the paused event, prior to writing the log entry information to the log file; (Shealy, col.7, l.40-60, col. 8, l.13-24,l.58-64); and
- Writing the log entry information to the log file using the log entry clone (col. 28, l.15-23, in which the bit map corresponds to the log entry).

18. Regarding claim 22, Koseki further discloses the method of claim 21, wherein the log entry information is written to the log file after releasing control of the log entry to the consumer (Koseki, col.9, l.15-18).

19. Regarding claim 23, Koseki further discloses the method of claim 21, wherein the The log entry clone determines when the log entry is written (Koseki, col.10, l.8-23).

20. Regarding claim 24, Koseki further discloses the method of claim 21, further comprising:

- Queuing the log entry clone in a queue that determines when the log entry information is written to the log file (Koseki, col. 44, l.39).

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first replay is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

07/25/06  
KYL

A handwritten signature in black ink, appearing to read "Andrew Caldwell". The signature is fluid and cursive, with a large initial "A" and a stylized "C" at the end.

**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**